

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

TIMOTHY ALLEN HOLT,)
)
 Plaintiff,)) No.: 1:15-MC-22-CLC-WBC
 v.))
)
 BEDFORD COUNTY JAIL,))
)
 Defendant.))

ORDER

The Court is in receipt of a *pro se* prisoner's complaint under 42 U.S.C. § 1983. Under the Prison Litigation Reform Act of 1995, a prisoner who files a complaint in a district court must tender the full filing fee *or* he must file (1) an application to proceed *in forma pauperis* without prepayment of fees *and* (2) a certified copy of his inmate trust account for the previous six-month period. 28 U.S.C. § 1915(a)(2). Plaintiff has not paid the \$350.00 filing fee, nor has he submitted the proper documents to proceed *in forma pauperis*.

Plaintiff shall have thirty (30) days from the date of this Order to pay the full filing fee or to submit the necessary documents. The Clerk is **DIRECTED** to send plaintiff an application to proceed *in forma pauperis*. Plaintiff is hereby **NOTIFIED** that if he fails to fully comply with this Order within the time required, the Court shall presume that plaintiff is not a pauper, shall assess the full amount of fees, and shall order the case dismissed for want of prosecution.

Also, according to the complaint, plaintiff's lawsuit involves his incarceration at the Bedford County Jail in Bedford County, Tennessee. Venue for § 1983 actions is governed by 28 U.S.C. § 1331(b), which requires that an action be brought in the judicial district where one of the defendants resides, if all defendants reside in the same State, or where the claim arose. A federal district court may transfer a civil action to any district or division where it could have been filed originally. 28 U.S.C. § 1404(a).

The events which occasioned this lawsuit apparently occurred in Bedford County, Tennessee, as the Bedford County Jail is located therein. Bedford County is located in the Winchester Division of this district. 28 U.S.C. § 123(a)(4).

Accordingly, for the convenience of parties and witnesses, and in the interest of justice, the Clerk is **DIRECTED** to transfer this case to the United States District Court, Eastern District of Tennessee, Winchester Division at Winchester.

SO ORDERED.

/s/
CURTIS L. COLLIER
UNITED STATES DISTRICT JUDGE